

REMARKS

Claims 1-24 were pending in the above-identified patent application. Claims 1-24 were rejected. Claims 1-11 and 16-18 are being amended. No new matter is being added.

The Examiner rejected claims 1-19 and 21-24 under 35 USC § 102(e) as being anticipated by Carter. Carter indicates describes a cluster manager that determines whether a server of a current subcluster is available based upon heartbeat signals transmitted among the servers of the server cluster. Carter describes sending heartbeat signals over a WAN. Carter specifically states, "Moreover, the WAN 104 is generally operable to provide a communications link between the geographically distributed subclusters 112A, 112B, ... 112Z of the server cluster 106." Carter does not describe a remote link coupled between the first storage system associated with the first host group and the second storage system associated with the second host group. As is clear from Fig. 1, WAN 104 is not a remote link between the first storage system and the second storage system. Applicant respectfully submits that Carter does not describe transmitting a heartbeat signal over a remote link as recited in claims 1-19 and 21-24.

The Examiner rejected claim 20 under 35 USC § 103 as obvious over Carter. However, for at least the reasons stated above with reference to claims 1-19 and 21-24, claim 20 is patentable over Carter, since Carter does not teach or suggest transmitting a heartbeat signal over a remote link.

Applicant respectfully submits that claims 1-24 are patentable and nonobvious over Carter.

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CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

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